



Healthy Homes
Healthy Children

Lead Update

Rhode Island Celebrates the Commitment of Nearly \$12 Million to Lead Poisoning Prevention Work

The state of Rhode Island and the DuPont Corporation reached an agreement on June 30th that will funnel close to \$12 million into the state for lead poisoning prevention work. The DuPont Corporation was one of seven companies involved in the state's lawsuit against paint companies that made the lead pigments found in paints and coatings that continue to poison Rhode Island children. This agreement will settle the state's case against DuPont, and will dismiss Dupont from the lawsuit. The trial for the six other corporations involved in the lawsuit is scheduled to begin in September 2005.

This settlement is a historic victory for lead poisoning prevention advocates across the United States. Paint companies have been sued in other communities in the United States, and have won every case. Rhode Island was not only the first state to successfully bring a lawsuit against the paint companies, but is now the first state to win a settlement.

The money from DuPont will go to a nonprofit agency based in Washington, D.C., the Children's Health Forum. The Children's Health Forum will be responsible for channeling the money for use in Rhode Island toward lead prevention activities. The funding is planned to be used for the following activities:

- ❖ \$1.5 million for education and training;
- ❖ \$1 million for community outreach;
- ❖ \$1.75 million for enforcement;
- ❖ \$6.6 million to remediate lead hazards in housing units in Rhode Island;
- ❖ \$1 million donated directly to the Brown University Medical School for research.

In the coming months, the Department of Health will be working with the Children's Health Forum, the Office of the Attorney General, and other partners to assist in developing a comprehensive, coordinated plan for the use of the money in the coming years.

This additional funding for lead poisoning prevention work in Rhode Island will have a tremendous impact on the health of children across the state. The Department of Health continues to refine its strategies to eliminate childhood lead poisoning, and will work to ensure that its plan complements the strategies and objectives outlined by the Attorney General and the Children's Health Forum for the DuPont funding.

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PRODUCT WATCH

The following food products may contain a dangerous amount of lead:

- Dulmex Rollito de Tamarindo
- Vero Vagabundo
- Lucas Limon® • Lucas Acidito®
- Super Lucas®
- Super Jovv Chili Powder®

The Lead Hazard Mitigation Law Takes Effect November 1, 2005

This summer, the General Assembly made some significant changes to the Lead Hazard Mitigation Law. The Law requires property owners to safely maintain rental units built before 1978 and to fix lead hazards in these units. The Lead Hazard Mitigation Law will take effect on November 1, 2005. The following highlights several of the major changes made to the Law by the General Assembly.

Exemptions:

Property owners who own the following types of pre-1978 rental dwelling units are now exempt from the requirements of the Lead Hazard Mitigation Law:

1. Rental units with lead-safe or lead free certificates;
2. Temporary or seasonal housing, which is defined as housing that is rented for no more than 100 days per calendar year to the same tenant;
3. Housing restricted by a regulatory agreement or zoning ordinance to persons age 62 or older;
4. Two (2) or three (3) unit properties, in which one unit is occupied by the property owner.

Regardless of any exemptions, a property owner that is seeking access to lead liability insurance will have to take a Lead Hazard Awareness Class and obtain a Certificate of Conformance for their rental unit(s). Owning an exempt property does not protect property owners from legal liability related to a lead poisoning incident on their rental property.

Frequency of Inspections:

After November 1, 2005, if a rental unit becomes vacant and is not an exempt property, the property owner must fix any lead hazards and have the unit inspected. Once the unit has passed the Independent Clearance Inspection, the inspector will issue a Certificate of Conformance for that unit. The Certificate is good for 2 years. If the same tenant still resides in the unit after 2 years, the property owner can keep the Certificate current by visually inspecting the unit and filing an Affidavit of Completion of Visual Inspection with the Housing Resources Commission. If there has been tenant turnover within those 2 years, the property owner must have the unit re-inspected.

Additional Responsibilities for State Agencies:

- ❖ The Housing Resources Commission is required to create an electronic version of the three-hour Lead Hazard Awareness Class that will be made available via the Internet, VHS, and DVD.
- ❖ The Housing Resources Commission is required to work with the Rhode Island Historic Preservation and Heritage Commission to identify financial resources and provide Technical Assistance to owners of historic properties.
- ❖ The Department of Health may reclassify properties on the public lists from "high risk" to "abatement in progress" if an owner is adhering to an approved compliance schedule.

For a more detailed description of the Law, please see the Frequently Asked Questions (FAQ) sheet on the Housing Resources Commission webpage at www.hrc.ri.gov/mitigation.html or call the Housing Resources Commission's Lead Technical Assistance Center at 1-800-570-0768.